

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

CHANTELE GANAWAY,
Individually and on behalf of all others similarly situated,

Plaintiff,

vs.

MOVE, INC., d/b/a REALTOR.COM,

Defendant.

CASE NO. 22-CV-04859
JUDGE JORGE L. ALONSO

**DEFENDANT MOVE, INC.’S MOTION TO COMPEL ARBITRATION AND
DISMISS, OR IN THE ALTERNATIVE, STAY CLAIMS; OR ALTERNATIVELY
TO DISMISS FOR LACK OF PERSONAL JURISDICTION AND/OR FAILURE
TO STATE A CLAIM**

Defendant Move, Inc. (“Move”), through its counsel, hereby submits this Motion to compel arbitration and dismiss, or in the alternative, stay claims; or alternatively to dismiss for lack of personal jurisdiction and/or failure to state a claim (hereinafter, “Motion”) pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure and the Federal Arbitration Act (“FAA”), 9 U.S.C. § 1 *et seq.* In support, Move states as follows:

1. Plaintiff Chantele Ganaway (“Plaintiff”) filed this Complaint and putative class action bringing a cause of action for the alleged violation of the Video Privacy Protection Act (“VPPA”) in connection with her use of Move’s website.

2. Move moves to compel this action to arbitration before the American Arbitration Association (“AAA”) and dismiss, or, in the alternative, stay further proceedings before this Court pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure.

3. Without waiving its right to have this matter adjudicated before AAA, Move moves pursuant to Rules 12(b)(2) and 12(b)(6) of the Federal Rules of Civil Procedure to dismiss the Complaint filed by Plaintiff on the grounds that this Court lacks personal jurisdiction over Move, and because Plaintiff has failed to state a claim.

WHEREFORE, Move respectfully asks this Court to compel arbitration and dismiss or stay Plaintiff's claims; or to dismiss the Complaint pursuant to Rules 12(b)(2) or 12(b)(6); and for such other and further relief the Court deems necessary in the interest of justice.

Dated: November 7, 2022

Respectfully submitted,

By: /s/ David R. Singer

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies on November 7, 2022 that a true and correct copy of the foregoing document was filed electronically with the Clerk of the Court and served upon all counsel on the record and other interested parties via the CM/ECF system.

Respectfully submitted,

By: /s/ Philip Sailer _____

Philip Sailer